

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Moritz BÜNEMANN *et al.*

Serial No.: 10/538,985

Filed: August 18, 2006

For: MILLISECOND ACTIVATION SWITCH  
FOR SEVEN-TRANSMEMBRANE  
PROTEINS

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: VOSS:008US

CERTIFICATE OF ELECTRONIC SUBMISSION

DATE OF SUBMISSION: November 9, 2006

**REQUEST FOR CORRECTED FILING RECEIPT AND NOTICE OF ACCEPTANCE  
OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

A corrected Filing Receipt and Notice of Acceptance of Application is requested in view of the errors that appear in the originals. For the convenience of the Patent and Trademark Office, attached is a photocopy of the original receipt and notice on which the errors have been noted.

There is an error in Applicant(s) on the Filing Receipt. Please replace "Patrick Bauerle, Waldbuttelbrunn, GERMANY" with --Moritz BÜNEMANN, Waldbüttelbrunn, GERMANY; Jean-Pierre VILARDAGA, Würzburg, GERMANY; Carsten HOFFMANN, Leinach, GERMANY; and Martin Johannes LOHSE, Würzburg, GERMANY--. There is an error in

First Named Applicant on the Notice of Acceptance of Application. Please replace "Patrick Bauerle" with --**Moritz BÜNEMANN**--. In support of these requested corrections, Applicants attach a copy of the inventor's Declaration filed August 18, 2006.

No fee is believed to be due in connection with the filing of this document. However, should any fee under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Commissioner is authorized to deduct the appropriate fee from Fulbright & Jaworski Deposit Account No.: 50-1212/VOSS:008US.

  
Respectfully submitted,

David L. Parker  
Reg. No. 32,165  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: November 9, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/538,985	08/18/2006	1645	765	VOSS:008US	16	30	1

CONFIRMATION NO. 2063

32425  
 FULBRIGHT & JAWORSKI L.L.P.  
 600 CONGRESS AVE.  
 SUITE 2400  
 AUSTIN, TX 78701

## FILING RECEIPT



\*OC000000020189999\*

Date Mailed: 08/28/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

~~Patrick Bauerle, Waldbüttelbrunn, GERMANY~~

Moritz BÜDEMANN, Waldbüttelbrunn, GERMANY  
 Jean-Pierre VILARDAGA, Würzburg, GERMANY  
 Carsten HOFFMANN, Leinach, GERMANY  
 Martin Johannes LÖHSE, Würzburg, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number 32425.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/14679 12/19/2003

## Foreign Applications

GERMANY 102 59 874.6 12/20/2002  
 EUROPEAN PATENT OFFICE (EPO) 03 00 4394.7 03/03/2003  
 If Required, Foreign Filing License Granted: 08/24/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/538,985**

Projected Publication Date: 11/30/2006

Non-Publication Request: No

Early Publication Request: No

Title

Millisecond activation switch for seven-transmembrane proteins

## Preliminary Class

530

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

### LICENSE FOR FOREIGN FILING UNDER

#### Title 35, United States Code, Section 184

#### Title 37, Code of Federal Regulations, 5.11 & 5.15

### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR

1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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U.S. APPLICATION NUMBER NO. 10/538,985	FIRST NAMED APPLICANT <del>Patrick Baucric</del> <b>Moritz BÜDEMANN</b>	ATTY. DOCKET NO. VOSS:008US		
		INTERNATIONAL APPLICATION NO. PCT/EP03/14679		
		<table border="1"> <tr> <td>I.A. FILING DATE 12/19/2003</td> <td>PRIORITY DATE 12/20/2002</td> </tr> </table>	I.A. FILING DATE 12/19/2003	PRIORITY DATE 12/20/2002
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32425  
 FULBRIGHT & JAWORSKI L.P.  
 600 CONGRESS AVE.  
 SUITE 2400  
 AUSTIN, TX 78701

CONFIRMATION NO. 2063

371 ACCEPTANCE LETTER



\*OC000000020190000\*

Date Mailed: 08/28/2006

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>08/18/2006</u>	<u>08/18/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 06/15/2005
- Copy of the International Search Report filed on 06/15/2005
- Preliminary Amendments filed on 12/16/2005
- Biochemical Sequence Diskette filed on 06/15/2005
- Oath or Declaration filed on 08/18/2006
- Biochemical Sequence Listing filed on 06/15/2005
- Small Entity Statement filed on 06/15/2005
- Copy of references cited in ISR filed on 06/15/2005
- U.S. Basic National Fees filed on 06/15/2005
- Priority Documents filed on 06/15/2005

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)